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MONDAY—Fair.

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MONDAY—Fair.

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ATTORNEY - GENERAL
INACTIVE WHILE
\$4,500,000 GOES.

Appeal Taken from the
Strange Decision of the Ne-
braska Master in Chancery
in Union Pacific Case.

Rights of the Government Said
to Be Ruthlessly Brushed
Aside in the Award of the
Receiver's Fund.

Not an Indication Up to Date
That Mr. Griggs Proposes
to Make Any Fight to Save
the Millions.

The decision given on Friday by a young
Nebraska lawyer acting as Master in
Chancery, which deprives the Government
of four and a half million dollars of the
receiver's fund of the Union Pacific
Railroad, is exciting a great deal of com-
ment in this city and in Washington. A
lawyer who has been familiar with all the
inside details since the road first went
into the hands of a receiver and whose re-
lations with the Administration are very
close said yesterday:

"An extraordinary array of facts and cir-
cumstances is connected with the Admin-
istration's attempt to collect the balance
of seven million dollars still due the United
States on account of advances by the Gov-
ernment to aid in the construction of the
Union Pacific Railroad. It seems incredi-
ble that the Government can be so easily
whipped out of these millions.

"The chain of circumstances be-
gan with the suggestion in the
message of President McKinley to
Congress in which he proposed that
the Government should accept one-
half of its claim on the Kansas Pa-
cific Railroad in full satisfaction of
the debt to the Government; that is to
say, six and one-half millions,
instead of thirteen.

Attorney-General Permitted the Sale
"Following upon this Attorney-General
Griggs permitted a sale of the railroad in
accordance with the Presidential sug-
gestion, resulting in a balance remaining due
to the Government of six and one-half mil-
lions, which has been since largely increased
by the accumulation of interest.

"At that time the Senate of the United
States was in session and when it became
acquainted with this transaction it im-
mediately passed a resolution requesting the
Attorney-General to oppose the confirma-
tion of the sale by the court, and thus
render it ineffectual and enable a resale
to take place on terms which would furnish
honest results to the Government.

"Strange to say Mr. Griggs never took
the slightest notice of this resolution, but
calmly allowed the sale to be confirmed.
"One-half of the debt to the Government
was thus lost upon the sale of the rail-
road. Soon afterward the Senate became
Republican, and there was no further
opportunity to hold the Attorney-General to
account before the legislative branch of the
Government.

"But it so happened that the Govern-
ment had another opportunity to collect
seven millions or the greater part of it.
Before the sale of the road and while it
was in the hands of the receiver, there had
been an accumulation of interest to the
amount of \$6,000,000. The special fund
stood in trust for the benefit of the cred-
itors of the Union Pacific Railroad, whose
claim had not been satisfied by the road's
sale.

Another Chance Let Slip.
"A valuable opportunity was then
presented for the Government to recoup itself
for the loss it had suffered. The contest
for the \$6,000,000 fund, cash deposited in
bank, has now been pending for nearly
a year past. The claims against this fund
stand in the order of their priority, accord-
ing to the mortgages. The first mortgagee
can have no claim on the fund, because
it has been fully satisfied by the sale of the
road's stock.

"The very fact that one-half of the Govern-
ment claim, as the sole holder of the
second mortgage, was paid by the sale of
the stock of the road shows that the first
mortgage must have been satisfied. Moreover,
the first mortgagee has made a large
profit out of the railroad foreclosure.
They received \$1,000 of bonds and 500
shares of the preferred stock of the re-
organization for each \$1,000 of bonds of
the old organization.

"Having reaped such a profit, the first
mortgage bondholders cannot claim any
thing additional from the receiver of equity of
this fund comprising earnings. To whom, then, should these millions
be awarded if not the Government,
which holds the mortgage next in
order? Common sense and common justice
are sufficient to show what course should
have been taken.

"Instead of this the money is handed over
to the present New Union Pacific Railway
Company. The corporation is composed of
the stockholders of the former company,
which the Government sold this money.
By what transformation can these stock-
holders become interested in the purchase
of the railroad while their creditors re-
main unpaid? How can they be entitled to
this receiver's fund while the Government
remains their creditor to so large an ex-
tent?

Ground for Attorney-General to Act.
"Let the Attorney-General read the deci-
sion of the Supreme Court of the United
States in the Mowen case and see what that
tribunal thinks of such a transaction. It
says in the broadest terms that stockhold-
ers can't get an interest in the purchase of
a railroad until all creditors are paid.
"Here is a fund of more than six millions
claimed by the United States. A young lawyer
of Nebraska is the referee, or master.
His report in favor of the Union Pacific
Railway Company, composed of millionaires
and politicians, is submitted to the
Judge who has granted all the orders in
the case, and by him hurriedly ap-
proved. The Union Pacific Company guar-
antees the \$4,500,000 without any appeal be-
ing made by Attorney-General Griggs on
behalf of the Government."



U. S. Attorney-General Griggs.
Will he take action to save the Gov-
ernment a loss of \$4,500,000?

EXPEDITION SAILS TO
PURSUE REBELS TO
THE FINISH.

General Wheaton Leaves Ma-
nila, the First Move of the
Decisive Campaign Ordered
from Washington.

Washington, Nov. 5.—A cable dispatch
was received by the War Department to-
night announcing that Layton and MacAr-
thur had begun the general advance against
Aguinaldo, ordered from Washington. The
news to-night does not confirm General
Otis's dispatch of November 1, in which he
said the insurgents were advancing from
Tarlac to meet Lawton's troops.
The general movement ordered is under
the personal direction of Lawton and Mac-
Arthur. It is intended to overtake Agui-
naldo and engage him in the vicinity of
Tarlac, if he does, to pursue him to Buan-
lung, fifteen miles distant, thence, another
fifteen miles to Dagupan, the terminus of
the Dagupan & Manila Railway, from which
point it is believed it will be impossible
for him to escape.
If Aguinaldo succeeds in escaping east-
ward to the mountains, Lawton will follow
him relentlessly and crush the life out of
the rebellion.
Root Looks for Success.
Secretary Root to-night declined to dis-
cuss the details of the campaign that has
been mapped out.
"The campaign will be conducted
under the general orders that have
been issued, which I am believed,
will speedily end the rebellion," he
said. "Just when the decisive battle
will occur I don't know."

"There will be no time lost in engaging
the rebels, and I believe the campaign will
end in complete success."
"The orders are complete and our
officers are operating under them."
Oris now has something like 44,000 ef-
fective men under his command. According
to the latest reports, Lawton and MacAr-
thur have between them 25,000 men, and
with those upon the safe of the rail-
road, gradually but surely forcing
Aguinaldo into a pocket, whence it will be
impossible for him to extricate himself.
This campaign has been in preparation for
several weeks. Advantage has been taken
of the unfavorable season for active cam-
paigning to get supplies to the northern
bases.

GEN. WHEATON SAILS
WITH A STRONG FORCE.
Manila, Nov. 5.—A fleet of trans-
ports and gunboats left Manila for the
most important expedition of the Anti-im-
perial campaign this evening. Its destination
is supposed to be Dagupan, or some other
northern port.
General Wheaton commands, with a bri-
gade consisting of the Thirtieth Infantry,
the Thirty-third Infantry, two guns of the
Sixth Artillery and two Gatlings. The
transports Sheridan, Francisco de Reyes
and Astor carry the troops, with the gun-
boat Helena as escort.
A dispatch boat was sent ahead to ar-
range a rendezvous with the United States
cruiser Charleston and the other war ships
that are patrolling the north coast of
Luzon.
The landing will be made under cover
of the guns of the fleet. It is assumed here
that the purpose of the expedition is to
move down the Dagupan-Manila Railroad
toward Tarlac or to prevent Aguinaldo's
forces making another base further north.
Strongholds of the North.
Dagupan and Appari are the strongholds
of the insurgents in the north and, it is
supposed, the points where most of the
insubordinating parties are hiding.

Since the beginning of hostilities it has
been the unanimous opinion of military ex-
perts here that Dagupan should be made a
base of operations, but sufficient troops
have heretofore been lacking.
With Generals Wheaton, MacArthur and
Lawton moving upon Tarlac from three
directions, and the mountains hemming in
the other side, the insurgent capital will
soon become untenable.
Aguinaldo may attempt to shift his head-
quarters to the rich tobacco country at the
northern end of the island. Possibly he
may slide around General Lawton's front
to the southern provinces; but as Mac-
Arthur's and Lawton's troops are spread
across the country from Angeles to Caban-
atuan, it will be difficult for the insurgents
to escape.
Should the concerted operations succeed
organized insurrection on a large scale
should be at an end early next Spring, al-
though guerrilla warfare is likely to con-
tinue for a long time. No one anticipates
that the insurgents will make many hard
battles.

Problem of Situation.
The problem is to move the troops about
the country, to maintain transportation and
to hold the territory gained.
The moral effect of the arrival of a
large American army is calculated upon
to sap Aguinaldo's strength by desertions
and through the loss of hope among the
supporters of the revolutionary movement.

RESULTS AT POLLS
PREDICTED FOR
TO-MORROW.

Careful Estimates Made for the
Journal Show the Probable
Outcome in the More Im-
portant Contests.

Tammany Likely to Win in
New York County. Republi-
cans to Control the Legisla-
ture--Nash Wins in Ohio.

Fusion Leaders Confident of
Success in Nebraska, While
Goebel Men Fear Frauds in
Eastern Kentucky.

THE Journal yesterday instructed
its correspondents in those
States where political battles
will be waged to-morrow to secure
from the highest authorities forecasts
of the results, which should be as im-
partial and as accurate as possible.
The situation in each of these States
is shown by the following:

NEW YORK.

THAT Tammany will carry this county
by a plurality of at least 45,000 is
practically conceded.
The Democrats will probably win in
Kings by from 12,000 to 18,000.
Democratic victories are assured in Rich-
mond and Queens boroughs.
In all probability the Republicans will
retain control of the Assembly. So deftly
did they reorganize the State four years
ago that it will require something in the
nature of a Democratic landslide to wrest
the House from them.

NEW JERSEY.

REXTON, N. J., Nov. 5.—Of the eight
Senators to be elected Tuesday it is
probable that the Republicans will elect in
Essex, Union, Camden, Monmouth, Gloucester
and Salem. Warren will be carried by
the Democrats and Somerset is doubtful,
with the chances slightly in favor of the
Republicans.
The Republicans will elect a majority of
the Assemblymen, so that they will be
dearly counting on having a large majority
in the Legislature.

OHIO.

CINCINNATI, Nov. 5.—The prospects for
the election of John R. McLean as
Governor are not bright. This shifts the
interest to the vote of Jones, the independ-
ent candidate.
With this factor out of the way there
is no doubt that the Republicans might
lose. Estimates of Jones's total vote run
the way from 50,000 to 125,000.
Republicans will be disappointed if Nam
falls to get 25,000 plurality.

NEBRASKA.

OMAHA, Neb., Nov. 5.—The fusion lead-
ers agree that the situation could not
be much more favorable. The weather is
an important item in Nebraska, and es-
pecially to the fusionists, because the
farmer vote is in a majority of cases for
fusion. Therefore the splendid fall
weather of the last week means an in-
creased vote for fusion.
Each side claims the State by from three
percent to ten percent majority, however,
the forecasts and estimates being based upon
reports received to-day.

KENTUCKY.

LOUISVILLE, Nov. 5.—Goebel will prob-
ably come to Louisville with a majority
of 10,000. Some say the Republicans
will poll 12,000 majority here. Sanguine
Democrats are hoping for a small majority.
In the mountainous Eleven district the
Goebel people fear that hundreds of Ten-
nesseans will be brought over and voted.
The Goebel people believe Taylor's ma-
jority in the Eleventh will be between
10,000 and 18,000.

PENNSYLVANIA.

PHILADELPHIA, Nov. 5.—Chairman Rip-
ling, of the Democratic State Com-
mittee, forecasts the result of Tuesday's
election as follows:
"The vote will be 29 per cent under that
of last year. Of the 116,000 votes cast
for Swallow, Independent candidate, a
year ago, 50 per cent will go to Greasy,
20 to Barnett, 10 to the Prohibition can-
didate and 20 will be the stay-at-home
vote. With these figures our success is
certain."
The Republicans say they will win by
from 125,000 to 200,000.

MASSACHUSETTS.

BOSTON, Nov. 5.—Robert Treat Paine,
Jr., Democratic candidate for Gov-
ernor and the members of the State Com-
mittee, expect to reduce last year's Republi-
can plurality of 80,000 to 60,000. They
are confident also of an increased Demo-
cratic representation in the Legislature.
Republicans concede a less plurality than
last year. They count on a vote of 150,000
and more for Crane and a plurality of at
least 60,000.

MARYLAND.

BALTIMORE, Nov. 5.—All Democrats
and many Republicans believe the
Democratic State ticket, headed by Colonel
John Walter Smith for Governor, will win
by from 8,000 to 12,000 plurality.
George L. Wellington, who made Loyd
Lowmire Governor, re-elected to-day his
lieutenant, made two weeks ago, that

"HOLD LADYSMITH TILL THE LAST
MAN DROPS," ARE WHITE'S ORDERS.

A Remarkable British Fort on the Tugela River, East of Colenso.

This position of extraordinary strength is a relic of the time that the British were fighting the Zulus under Cetewayo. The Tugela River was the boundary line between Natal and Zululand. The fort has not yet been called into use in the present war, for the Boers have directed their attention to but one place on this river, Colenso, where the railway crosses the stream.

PLATT WOULD'N'T
FACE MAZE TEERS.

The Senator Peremptorily Declined Moss's Invitation
to Testify Before the Committee in
Reply to Croker.

The Journal received information last
night that Frank Moss, on Thursday, had
written Senator Platt a most urgent re-
quest to appear before the Mazet Commit-
tee, and that the Republican chief had per-
emptorily declined.
Mr. Moss's act is said to have greatly
provoked Chairman Mazet, who knew
nothing of it until after the letter had been
sent, and the relations between the chair-
man and the counsel to the committee
have been none too cordial since.

A friend of Mr. Moss, who asserts that
he is familiar with the circumstances sur-
rounding the summons to Senator Platt,
said to a Journal reporter last night:
"From the day that Richard Croker began
to demand 'call Platt!' Mr. Moss has be-
lieved it to be for the best interests of the
Republican party and of the committee
that the Senator should appear before it."

"He made the suggestion to Mazet, who
frowned upon it from the first and finally
refused to countenance any such proposi-
tion. Moss kept thinking it over, however,
and the more he thought it over, the more
convinced he was that the people could not
be made to believe that the inquiry was
honest unless Platt were summoned."

"Learning that Chairman Mazet proposed
to have the committee adjourn last Thurs-
day, Moss sent duplicate letters to Senator
Platt: one to the United States Express
office, at No. 43 Broadway, and the other
to the Fifth Avenue Hotel. The two docu-

ments were placed in the hands of messen-
gers, with instructions to deliver them per-
sonally to the Senator.

"Mr. Moss wrote that he thought the
Senator owed it to the party, and to the
committee to take the stand and stamp out
the charges which Croker and other wit-
nesses had made against him and his law
firm under oath. The committee was
about to adjourn until after election, so the
last chance to appear would be Thursday."

"The messenger who went to No. 43
Broadway was told that Senator Platt was
out of town, probably in Washington. The
messenger who carried the letter to the
Fifth Avenue Hotel failed to find the Sen-
ator, and returned it to Mr. Moss. In some
way, however, Senator Platt learned that
Moss desired his presence before the com-
mittee and got word to him that he would
not come."

A Journal reporter sought Mr. Moss at
his home last night, and was told that the
lawyer had retired. The substance of the
story printed above was repeated and sent
to Mr. Moss. This reply was returned:

"Mr. Moss says he cannot corroborate
that story.
That it had been suggested that Platt
might possibly be a witness either Thurs-
day or Friday became evident when it was
learned that Assemblyman Hoffman had
prepared a set of typewritten questions
which he intended to put to the Senator
should he conclude to become a witness."

Lowmire would be defeated. The betting
is 2 to 1 on Smith.

IOWA.

DES MOINES, Iowa, Nov. 5.—There will
probably be a tight vote in Iowa this
year. This always means a Republican
loss. The Republicans claim the State by
only 40,000, against 60,000 last year.
The Democrats do not expect to elect
White Governor, but they will greatly re-
duce the Republican majority, and they
hope to cut it down to 10,000 or 15,000.

SOUTH DAKOTA.

PIERRE, S. D., Nov. 5.—The estimate of
the Republican committee is that only
50 per cent of the total vote will be cast
60,000. Out of this number it is count-

ing on a majority of 5,000 for the Republi-
can ticket.

The fusion managers estimate a vote of
only 50 per cent of the total, or a little
over 40,000. They make no statements as
to majorities, only asserting that they will
carry the State.

WOMAN WHO SAW
WASHINGTON DIES.

Mrs. Fannie Hawthorne, Aged One Hun-
dred and Twenty-four, Passes
Away in Bonham, Tex.

Fort Worth, Tex., Nov. 5.—The oldest
woman in Texas has just died in Bonham.
Her name was Mrs. Fannie Hawthorne,
and she was born in Virginia, December
12, 1775. She came to Texas with her
husband in January, 1863. Had she lived
until December 12 next she would have
been just one hundred and twenty-four
years of age.

She remembered seeing General Wash-
ington in her childhood, and often spoke
of his frequent visits to the home of her
parents in Virginia. Her eyesight was un-
impaired and her mind clear until the very
last moment. One daughter, eighty-four
years of age, survives her.

Schooner Sighted in Distress.

The revenue cutter Graham spoke the American
schooner Harold Jordan, of Windsor, N. S., seven
miles east of Pile Island yesterday morning.
The boat had all her canvas and was rolling help-
less. Captain Walker, of the Graham, offered as-
sistance, but Captain McDonald, of the Jordan, de-
clined it, saying he would try to make New London.

Who Will Grieve for This Jack?

While the tug Stealing was towing the lighter
Ben English across the North River from Wes-
tchester yesterday afternoon, a man employed on
the tug, who is only known as "Jack," fell over-
board and was drowned. The body was not re-
covered.

Not Euphuys, but Broken Skull.

Cosmo's Body Recovered through an
accident, which that Fred Mackay, thirty-six
years old, of No. 205 West Thirty-eighth street,
who has been picked up apparently in an epileptic
fit at Sixth street and Thirty-eighth street, on
Saturday night, had died from a fracture at the base
of the skull.



Railroad Bridge at Fourteen Streams Blown Up by the Boers.

This structure, which crossed the River Vaal at a point between Vryburg and Kimberley, was strongly built and very largely used. Fourteen streams being a busy forwarding centre with a Custom House.

REPORTS OF THE FALL
OF LADYSMITH
REPEATED.

The Rumor Now Comes from
Lisbon, the European Ter-
minus of the Cable from
Cape Town.

Lisbon, Nov. 5.—Persistent reports are in
circulation here that General Sir George
Stewart White, British commander in Na-
tal, has capitulated to the Boers.

Brussels, Nov. 5.—The Belgian newspapers
continue to publish telegrams from Amster-
dam and Berlin reporting the capture of
Ladysmith, but no such information has
been received at the official residence of Dr.
Leyds.

The members of the Transvaal agency de-
clare that the only knowledge they have
on the subject is derived from the news-
papers. They decline to divulge the where-
abouts of Dr. Leyds, but say he is neither
in Brussels nor Berlin.

Madrid, Nov. 5.—A dispatch from Bilbao
says that several influential Spaniards who
were attending a banquet there yesterday,
on hearing the report that Ladysmith had
fallen, sent a cable to the British Sec-
retary of State for the Colonies, Joseph
Chamberlain, saying:

"On the occasion of the latest war news
the dead authors salute you." The allusion
was to the speech of the Marquis of
Salisbury during the Spanish-American
conflict in which he referred to "dying
nations."

These reports have been current in Con-
tinental Europe for three days. Particular
importance attaches to the rumor in Lis-
bon, for that city is the European ter-
minus of the cable from Cape Town, Cape
Verde Islands and Madeira.

Boers Declare Part
of Natal Annexed.

Buller Will Not Aid Him, and
He Must Fight for Himself.
Kimberley's Relief Will Be
the Army Corps' First Care.

Free State There Is to Be In-
vaded, and Ladysmith to Be
Relieved by Drawing Off
Boers to Defend Homes.

General White Is Now Entirely
Surrounded and Is Com-
municating with Durban by
Means of Carrier Pigeons.

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Journal and Advertiser.)

LONDON, Nov. 5.—Four weeks of war-
fare in South Africa and the British
not in the position expected at
home when hostilities began, but the situa-
tion today is much more gloomy than it
will be a week hence, when Buller's army
corps is pouring into the Cape at the rate
of several thousand men per day.

President Kruger delivered his ultimatum
on October 9, and the first month finds all
the fighting taking place in British ter-
ritory. Practically the entire English forces
now there are hemmed in in various towns
by the Boers.

Colonel Baden-Powell is imprisoned in
Mafeking with a small force. Cecil Rhodes
with 2,000 men is in Kimberley, while Gen-
eral White with the 9,000 remaining of his
original 12,000 is completely shut up in
Ladysmith, after giving the Boers hard
knocks, but sustaining heavy losses.

This can hardly be considered a victori-
ous month's work for the British army.

The next seven days are the critical time,
if the beleaguered forces can hold out a
week longer relief will be at hand, and it
is evident the tide will turn.

In London the people expect General Bul-
ler to sweep the Boers out in a fortnight,
but the more experienced think there will
be tough fighting ahead, though the im-
mediate result is in no doubt.
Thursday's scuffle by the Tugela at Lad-
ysmith is magnified into a great victory in
London and a victory it is compared with
the gloomy news we have been getting the
past week. The rejoicing over this quite
obscures the fact that the troops have fal-
len back from Colenso and Tugela bridge,
which are now in Boer hands.

This point is sixteen miles south of Lad-
ysmith and recently was declared to be a
most strategic place.
The blockade and the marines from the
ships at Durban hastened there, hoping to
prevent the Boers from surrounding Lad-
ysmith on the south, but it is evident that
they found the enemy too strong, and had
to retreat towards Pietermaritzburg.

Reinforcements thus shut off from
reaching General White's little force are
surrounded. Messages by pigeons report that
he was still holding out Friday.

War Office Withholds News.

Very meagre news is given out by the
Government. It has received voluminous
dispatches, but it is keeping them secret.
Always when good news arrives the Gov-
ernment makes it public. The present se-
crecy gives rise to many speculations that
things are not going well.

Dr. Leyds, Boer Junta at Brussels, has
given out reports of fresh Boer victories,
especially the fight at Colenso, but the
British Government says nothing save that
the Colenso troops have fallen back.

Messengers of the Boers everywhere
carry such dispatches.
Joseph S. Dunn's account of the Lad-
ysmith fight last Thursday is the news
message through, and it took three days
to reach London though sent at extra
cable rates.

On the western border Mafeking and
Kimberley are harder pressed than is gen-
erally supposed, while the Free States
are pouring over the border, into the
midst of the friendly Dutch in North-
ern Cape Colony.

All things point to the sending of the
main body of reinforcements toward Kim-
berley to invade the Orange Free State
from that side in order to draw the Boers
away from Natal.

In the morning General White will
have to fight for himself at Ladysmith.
His instructions are to hold out until the
last man drops.